

WAUWATOSA POLICE DEPARTMENT Officer Involved Shooting DA Announcement Civil Unrest Operational Plan

Changes to be Authorized by a Capt. Only Addendums may be issued to supplement this Ops. Plan

Approved by: Capt. Vetter Date: 10/6/20

1. Background

On Wednesday, October 7th, 2020, Milwaukee County District Attorney John Chisolm plans to release a "Community Briefing." In the Community Briefing, DA Chisolm will disclose his charging decision in regards to the Officer Involved Shooting death of Alvin Cole which occurred on Sunday, February 2nd, 2020 at Mayfair Mall, 2500 N Mayfair Rd, case: 20-2687.

In recent history, large groups of citizen protestors have made various demands at numerous community meetings, gatherings, etc. These demands called for the firing and charging of PO Joseph Mensah. On August 8th, 2020, the home of Officer Mensah was shot at with a shotgun. Several suspects have been charged in connection to that incident.

Ongoing protests continue to occur outside the homes of Mayor McBride and PFC Officials, and through City of Wauwatosa streets. Multiple confrontations with Police have since occurred. As a result of these incidents, several additional protestors have been arrested and either cited or referred for criminal charges.

On August 23rd, 2020, the City of Kenosha Police Department was involved in an officer involved shooting. As a result of that shooting, multiple nights of rioting, looting and arson have occurred. Resources from around the state have been brought in to help quell the violence. Many of our local protestors have been traveling to Kenosha to participate in the uprising.

On September 23rd, 2020, the Louisville, KY Police Department dealt with civil unrest do to the decision to not charge Officers involved with the search warrant shooting death of Breanna Taylor.

In anticipation of civil unrest developing from this Community Briefing, the Wauwatosa Police Department is putting forth the following plan of action:

2. Emergency Readiness Level

The Wauwatosa Police Department will operate at Emergency Readiness Level FIVE. At this level, Community Support functions are suspended and Community Support personnel are assigned to front line patrol along with any station personnel. All "x-offs" will be canceled and future "x-offs" will

not be approved. We will have designated security at numerous City and other high value targets with the City. An Incident Command Post to run operations will be established.

3. Scope & Duration

This plan will go into effect on Wednesday, October 7th at 4pm, and tentatively last until October 14th at 4 am. The Chief of Police or his designee may change the duration at his discretion. Rest days have been established for all personnel if these emergency operations continue past 7 days.

4. Calls for Service Adjustment

The Dispatch Center will adjust how certain calls for service are handled. See the dispatch section below for further information.

5. Operational Partners

Wauwatosa Fire Department

Waukesha County - Crowd Control Unit

Waukesha County - TAC Unit

Waukesha County SCIT

City of Brookfield Police Department

City of Waukesha SWAT Team

Milwaukee PD

West Allis PD

North Shore MFF – Shorewood, Bayside, River Hills, Whitefish Bay

West Milwaukee PD

Brown Deer PD

Glendale PD

Greendale PD

Greenfield PD

Franklin PD

State Fair PD

Oak Creek PD – Tac Unit

West Allis PD - Tac Unit

Marquette Univ. PD

WI National Guard (oem)

SEIMT-Incident Management

MKE County OEM

State OEM

MKE County DA's Office

FBI

WI DOT

WI DOJ

Ozaukee County SO – Tac Unit with AV

Sauk County SO - CC (oem)

Dane County SO - Tac Unit w/ AV (oem)

Winnebago County SO – Tac Unit with AV (oem)

La Crosse County SO – Tac Unit with AV (oem) Washington County SO (oem)

DCI ATF

Hales Corners PD

US Atty's Office

South Shore Tac Unit - Cudahy, South Milwaukee, Saint Francis

Oneida County CC (oem)

USMS

WI State Patrol-CC team (oem)

North Shore MFF (Bayside, Brown Deer, Fox Point, Glendale, River Hills, Shorewood,

Whitefish Bay)

Eau Claire Tac unit (oem)

WI DOC (oem)

Marathon County MFF(oem)

6. Tactical Plan

Crowd Monitoring & Control: Peaceful protests will be monitored. Protest violators will be identified and reported to the Field Commander and CC Commander to consider and prep a call out of the CC teams for disbursal and/or arrests.

Infrastructure Security: To provide security in the event that agitators attempt to breach or damage buildings. Security Officers will be stationed at predetermined infrastructure locations to deter mass gatherings, vandalism or other unlawful activity. Force options may be deployed to prevent entry or damage to buildings. See the Use of Force section of this Ops plan.

Less Lethal inventory will be divided amongst the staged tactical groups. QRF (quick reaction force) teams will respond to areas of unrest to supply immediate law enforcement presence. Additional resources, to include armored vehicles, crowd control units, or other tactical resources will respond to assist as determined by Tactical or Incident Command.

High Value Targets: Security Personnel will be posted or provide targeted patrols of these HV targets. They will report to their Commander any protest or illegal activity near their location. CP will determine further resources to be deployed to those locations to address unlawful activity.

7. Primary Radio Channels

- Primary for civil unrest operations, UC, intel & CC: <u>OAGTAC12</u> (WUPD-E13) Dispatch Monitored
- SRT/Tactical channels: MCSWAT3e, encrypted on select Tactical radios only (WUPD-C4)
 - Encrypted radios will be provided by County OEM
 - o If unable to go encrypted, channel will be MCSWAT2, (WUPD-C3)
- Mutual Aid for High Value Targets: <u>OAGTAC11</u> (WUPD-E12), <u>8TAC91</u> (WUPD-F4), & MARC1 (VHF) will be patched effective 1200 hours on 10/07/2020
- Patrol/Calls for service: OAGTAC10 (WUPD-E11) Dispatch Monitored
- Command Post Channel: MCLAW5e, encrypted on select Command radios only (WUPD-D6)
 - This channel only for use by CP, Field Commander, CC Commander, SRT Commander and CFS Commander.

- Drone Operations: OAGTAC9 (WUPD-E10)
- WI State Patrol and OASIS partners have OAG and MCLAW channels available
- OAG and MCLAW channels are recorded and recoverable by MKE County OEM

8. Backup Radio channels

- In the event the OASIS channels go down, Operations will switch to an alternate system
- Contact County OEM dispatch to do so (278-4515)
- A repeater radio tower will be turned on to make radios usable
- Primary channel, UC, intel & CC: 8CALL90 (WUPD-F2)
- SRT/Tactical channel: 8TAC93 (WUPD-F8)
- Mutual Aid Security and WUPD CFS: 8TAC91 (WUPD-F4)
- Command Post: <u>8TAC92</u> (WUPD-F6)

9. Hospitals

- Primary: Froedtert, 9200 W. Wisconsin Ave.
- Secondary: WAM, 8901 W. Greenfield Ave.

10. Public Information/Communication (PIO)

- A 24-hour summary report will be created each day for the PIO/JIC.
- TAC squads will fill out a form each night as to chemical uses of force deployed; this will be turned into CP at the end of each night.
- A JIC will be established likely at the City's EOC location
 - o To include City, PD, FD, NG, County OEM, others
 - Daily briefings will occur, in person and/or virtual
- WUPD Supervisors will staff the JIC 24/7

Capt. Morrison: 414-739-5556 6am-6pm
 Sgt. Pavlik (PIO): 414-378-4686 12p-12am
 Lt. Gierach: 414-429-7826 7pm-7am

11.Incident Command Post (4p-4a): DPW Conference Room #1 Direct Dial in #414-831-5535 ext. 5999

Captain Vetter (IC): 414-335-4806 4pm – 4am
 Captain Morrison (IC): 414-739-5556 6am-6pm
 Captain Schultz (IC): 414-550-2392 9am-9pm

Tactical & CC Command Post: DPW Conference Room #2 Direct Dial in # 414-831-5533 ext. 5997

Lieutenant Wrucke (SRT): 414-331-4653 4pm-4am
 Sgt. McAtee (CC): 414-544-7507 4pm-4am

A tactical operations daily summary will be written at the end of each night to included: number of arrests, number of citations, uses of force/munitions report from Tactical units, mutual aid agencies involved.

Other partners will be in the CP, including: WUFD, NG, County/State OEM, and other agencies that have committed units to the Operation.

City EOC Office

The City of Wauwatosa will be opening a City EOC location to manage city resources.

Chief Weber will be the liaison for the Operations CP

• PD line: 414-479-3591

• EOC Manager line: 414-479-3582

The Wauwatosa City EOC will be in operation for additional city resources that may be needed also. The City EOC will be off-site from the Operations CP.

12. Staging Areas

• Primary/West Staging – Tosa DPW, 11100 W. Walnut St.

All responding mutual aid agencies are to respond to Wauwatosa Department of Public Works, 11300 W. Walnut St. to check in, for instructions and assignment locations.

All mutual aid personnel/teams will be logged in to each nightly operation; they will also be logged out at the conclusion of each nightly operation.

Union Pacific RR is aware of the staging of resources and will implement slow down and horn rules to caution for emergency vehicles.

In/egress for the Staging area are: 113th St on the Southwest side & Walnut(RR tracks) of the East side. Union Pacific has been warned of the operation.

- Secondary/East Staging State Fair Park, Public Safety area
- MRMC Staging WI Heart Hospital, 100th/Blue Mound North Side Parking Garage to be used for staging vehicles; access will be granted to a portion of the building for break/rest accommodations. MCSO may call for assistance for issues arising at the MRMC campus. WUPD CP will assign resources to assist.

13. Personnel & Assignments – Call for Service

Patrol Supervision

6am-2pm+	2pm-10pm+	+10pm-6am
Lt. Gabrish	Sgt. Geiszler-prime	Lt. Gierach/PIO
Sgt. Strands-prime	Sgt. Pavlik/PIO	Sgt. Morrill- <mark>prime</mark>
	Mutual Aid Sprvsrs.	Mutual Aid Sprvsrs.

- Lt. Gierach and Sgt. Pavlik will have primary responsibility in their PIO function
- They will have "an ear to the road" to assist for Patrol/CFS if possible
- They will substitute in on ANY shift to provide rest for Patrol/CFS Supervisors
- Mutual Aid Supervisors will be used to assist WUPD supervisors for Patrol/CFS

Patrol/Mutual Aid Officers

Deployment: All Officers will deploy as 2-person squads on all shifts. One WUPD Supervisor and 2 WUPD Officers shall work with and liaison with the Mutual Aid Officers each night. Mutual Aid Officers will work in Wauwatosa from roughly 4pm-4am each night of Operation.

Personal Security Detail: This will be covered with 1 WUPD Officer between 4am and 4pm each day and scheduled by the Patrol/CFS Supervisors. GFPD will provide security coverage from 4pm to 4am each day. Officer Mensah's residence MAY be vacant for a portion of the Operation.

Supervision: The WUPD Supervisor on duty will have official command of any CFS scene in Wauwatosa. However, mutual aid Supervisors will be available to assist WUPD in supervisory needs. All Officers will follow legal directives by supervisors, regardless of which agency they represent.

Reports: Officers from other agencies will write reports and handle arrests according to their own departments policies and RMS system. WUPD Patrol Supervisors will be responsible for getting those reports attached to the WUPD call or case number.

Pursuits: will only be allowed for violent felonies.

Mutual Aid Officers needed each night for CFS: 7

Officer	Squad	Location	Task
WUPD Sprvsr.		City	Road Supervision
WUPD Ofcr. #1		Sector 1	CFS
Mutual aid #1		Sector 1	CFS
Mutual aid #2		Sector 2	CFS
Mutual aid #3		Sector 2	CFS
WUPD Ofcr. #2		Sector 3	CFS
Mutual aid #4		Sector 3	CFS
Mutual aid #5		Sector 4	CFS
Mutual aid #6		Sector 4	CFS
WUPD Ofcr. #3			Mensah sec, detail, 4am-4pm

14. TDD's – Stop Sticks Use

- Stop sticks will be authorized without supervisory permission to address reckless autos.
- Reckless autos defined: those that are driving the wrong way on streets, driving on sidewalk, occupying all lanes of traffic, violating red lights or stop signs, driving at excessive/unsafe speeds. This is not an all-inclusive list.

• **Pre-emptive TDD use**: is authorized without supervisory permission to address eluding suspects.

15. Special Operations

Field Commander: Lt. Farina (414-544-3518), 4p-4a Assisting Field Commander: Capt. Franckowiak (414-403-8958), 4p-4a

Crowd Control Team, 4p-4a
Commander: Sgt. McAtee (414-544-7507)

Officer	Squad	Location	Task
Sgt. Zientek			Team Leader
Sgt. Orlowski			Assisting Sgt.
Yothsackda			Squad leader
Floryance			Squad leader
Nelson			Squad Leader
Officers/Teams			

Prisoner Transport/Processing & Investigative Follow Up

- Mutual Aid and/or WUPD Officers will be designated to collect and move protest related arrestees
- A small number of arrests for municipal or out-of-custody processing will be taken to one of the alternate booking locations
- Large number of arrests will be handled by collecting from CC arrest wagons at predetermined locations away from warm zone
 - Main Prisoner transfer location to be the lot of WLC Stadium, 1401 N. Swan Blvd, Wauwatosa
 - LEO or NG personnel will be assigned to allow for safe prisoner transfers
- In custody arrests will be processed at one of the alternate booking locations and conveyed to the Milwaukee CJF
- Information on all arrests will be collected and conveyed to the Intel Analyst in the Command Post via QR Code or Microsoft link
 - Arrest info to include: name, dob, address, physicals, charge (muni, misd, fel, or possible federal charges)
- The Investigative Division will conduct follow up during Day Shift hours with assistance from other LE partners
- An Investigative Briefing will be held daily by Investigative Supervisors

SRT, 4p-4a Commander: Lt. Wrucke (414-331-4653) Assisting Commander: Sgt. Wex (414-544-7260)

Officer Squad Location Task

Sgt. Wex		Team Lead
Sgt. Svatek		Team Lead
Sgt. Wood		Team Lead

4p-4a Bureau & SOG Personnel

Detective	Squad	Location	Task
Det.			Intel
Det.			Intel
Det.			Ops/UC
Det.			Assist Drone Ops
SOG			Ops/UC
Paul V.			Drone Operator

16. FD/EMS Assistance

- A WUFD Ops plan is in place.
- Primary FD Staging will be Station 51 (1601 Underwood Ave)
- Secondary FD Staging will be with Police at the State Fair Park
- FD response for "warm zone" calls: 2 Engines, 1 Ladder, 1 Med unit, 1 Chief
- Minimum of one 2-Officer Squad and 1 NG squad to stage with FD to escort to warm zones
 (4 Mutual Aid/Security personnel needed)
- "Hot Zones" will need to be cleared and secured by LE before the WUFD enters; Unified IC will authorize FD access.
- AV (armored vehicle) may be utilized for safety/support also IC or Tactical Command to determine this
- 2 TEMS personnel/night working additional on call TEMS personnel available/FD mutual aid/MABIS

17. Wisconsin National Guard (WING) Assistance

- The WING is providing support for security and crowd control
- A WING Ops plan is in place
- Representatives of the WING will be present in the CP
- NG Units in the field will be required to have LE present with them at all assignments
- NG Units for predetermined security sites may deploy directly to their locations each day

18. High Value Targets

The Wauwatosa Police Department has identified several high value targets, they include, but are not limited to:

#1. Wauwatosa Police Department, 1700 N. 116th St.



#2. Mayfair Mall, 2500 N. Mayfair Rd. (prior protests)

NOTE: break room, bathrooms will be available for LEO and NG personnel in the lower level conference room; access via the main level entrance, east side, under the theatre structure



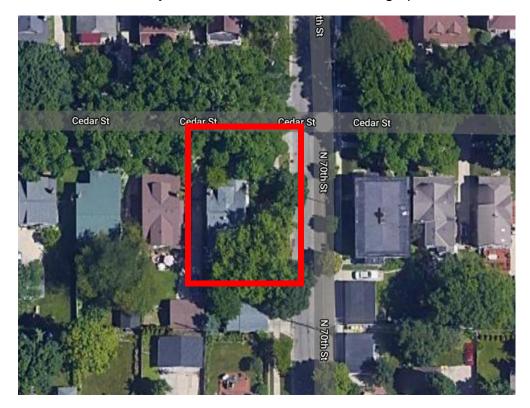
#3. Cheesecake Factory, 2350 N. Mayfair Rd. – on the S/W corner of the Mayfair Mall Property (original location of OIS & prior protests)



#4. Wauwatosa City Hall, 7725 W. North Ave. (prior protests)



#5. Mayor McBride's Residence, 7003 W. Cedar St.; (prior protests & trespassing) NOTE: Family will vacate the residence during operation



High Value Targets - Police and Fire Commission Member's Residences

#6. Danielle Basil Long, 2622 Menomonee River Pkwy (prior protests)
NOTE: Family will be staying at home, 2 kids in residence

- #7. Dana Cichy, 9220 W. Stickney Ave.
- #8. Victor Plantiga, 2357 N. 86th St.

NOTE: Family will be staying at home

#9. Dominic Leone, 7111 Cedar St. (prior protests)

NOTE: Family will vacate during operation

#10. Greg Leahy, 8121 Brookside PI. (prior protests & trespassing)
NOTE: Family will be staying at home, 2 kids in residence

Additional High Value Targets

#11. FD Station 51, 1601 Underwood Ave (Village of Wauwatosa)

#12. MRMC (FMLH - level 1 Trauma Center), 9200 W. Wisconsin Ave

#13. Officer Mensah Security - handled by GFPD & WUPD Officers

Other Big Box Retailers: Target, Lowe's, Home Depot, Meijer, Best Buy, East Towne Tosa W. North Ave. from N. 60th St. to Wauwatosa Ave. (N. 76th St.), Village of Wauwatosa, 7400 W. State St.

High Value Target & Security Assignments

- All security assignments will be deployed with a minimum of 2-person squads for Officer safety.
- Security Assignments will be split amongst mutual aid LEO's & assisting National Guard units.
- LEO's MUST be present with NG units at security locations, according to NG OP's.

Total Personnel needed: 36

Wauwatosa PD: three 2-person squads (6) FD Station 51: two 2-person squads (4)

Mayfair Mall/Cheesecake: four 2-person squads (8)

City Hall: three 2-person squads (6)

MRMC/FMLH ER: two 2-person squads (4) Mayfair Collections: one 2-person squad (2)

Mayor & PFC residences: three 2-person squads (6)

19. Mutual Aid Operations Plan

A. Calls for Service

It is anticipated that most Wauwatosa Police Officers will be assigned to the civil unrest portion of this plan from 4pm-4am. One or two WUPD Supervisors and two WUPD Officers will be used to handle calls for service, which will be supplemented by mutual aid squads.

B. Civil Unrest Assistance

Mutual aid CC teams or officers will supplement our officers for crowd control purposes. The number of officers and deployment locations will be identified as events unfold. All responding agencies will stage at primary or secondary staging until dispatched to the field. <u>Tactical and Crowd Control</u> Officers will be staged each day from 4pm – 4am.

C. Prisoner Van/Transports

- Officers will be assigned to the prisoner van details from 4p-4a.
- Inventory: 1 WUPD, 1 West Milw, 1 Ozaukee SO, 1 Washington SO, 1 WAPD-on standby, 1 DOC Van
- TOTAL personnel needed: 8 Officers (Driver & Security)

D. Prisoner Processing/Holding Facilities

The following agencies and their facilities shall be used for prisoner processing and holding facilities if needed:

West Allis Police Department Waukesha County Jail (up to 10) Brookfield Police Department

IN CUSTODY arrests: Milwaukee CJF

20. Logistics

In the event that this is a long duration multi day incident, Officers will need relief, breaks and nourishment. Food and water will be on-site prior to operations beginning. One Wauwatosa Police Department Officer will be assigned to this detail at all times of the operation.

Other equipment and resources will be requested by the CP and procured the following day.

Lt. Roy 4p-4a
Logistics/Staging Officers (2 WUPD Officers Needed) 4p-4a
Capt's Schultz and Morrison, Lt. Gabrish Day & Afternoon Hours

21. Dispatch

Three dispatchers will always be assigned to work for the duration of this event. When feasible, dispatchers will be advised to handle calls "call taker handled" CTH. For other Priority 1 and 2 calls, mutual aid squads are to be dispatched. EMD will be suspended, per FD, during this Special Operation. A Remote Location w/ a Security Officer will be provided.

22. Desk Coverage

Remote location with Dispatch. The front desk will be staffed until 2am each evening. Nonemergency calls to be handled by desk clerks.

23. Access Control

W. Walnut Rd. will remain closed for the duration of this event. Access to the Police Department will be through City Yards. W. Walnut Rd. will be blocked with concrete barriers that can be moved if necessary. An officer will have to be posted in City Yards to limit access to City of Wauwatosa property. (The north parking lot at the station will be paved by September 4th so access control via concrete blocks may be necessary there as well.)

21. Air Operations

- **Drones**: To provide real-time overhead views of gathering crowds, drones may be used. In addition to City of Wauwatosa drones, additional agencies with drone programs will be used.
- Air Support: Air surveillance will be provided/scheduled with FBI and WI State Patrol

22. Rules of Engagement (ROE's) - LTL Plan

Objective

In the event of a protest, the Wauwatosa Police Department has formulated a contingency intervention plan. As part of the preparation of that contingency intervention plan, a general less lethal intervention options plan has been created. The utilization of the less lethal intervention teams will be activated by incident command as the need arises.

The anticipated need for a less lethal force intervention option is intended to address the following possible situations:

- Failure to disperse or follow lawful legal orders.
- Major criminal damage to property.
- Attempt unlawful entry to Police buildings or vehicles.
- Rescue of Officers or other personnel.
- Rescue of Citizens.
- Criminal assault or attack on Police personnel, property or citizens.

Discretionary Use of Force

Unit leaders may use targeted force to protect their unit, the general public, and prevent significant property destruction. Force may be utilized at their discretion based upon the totality of the circumstances and must meet State of Wisconsin justification.

Command Authorized Use of Force

Large scale utilization, such as mass use of chemical agents, less lethal munitions, and coordinated tactics meant to disperse crowds must be coordinated and authorized by incident command.

Chemical Agent Authorization

Types:

- OC
- CS
- PAVA (synthetic capsaicinoid)

Delivery methods:

- Hand deployed
- Launchable
- Powders
- Aerosols
- Pyrotechnics
- Sting balls
- Tear balls

Less Lethal Authorization

- 12-gauge impact
- 37 mm impact
- 40 mm impact
- Pepper ball

Noise Flash Diversion Device Authorization

- Aerial NFDD's may be utilized with command authorization.
- Hand-held NFDD's may not be utilized in a civil disturbance setting.
- Hand-held NFDD's may be used for tactical operations.

Control Devices (Chemical Agents)

The goal of control devices is to overcome active resistance or its threat. Active resistance, unlike passive resistance, involves a subject who is physically counteracting an officer's control efforts under circumstances in which the behavior itself, the environment in which the behaviors occurs, or officer/subject factors create risk of bodily harm. (DAAT manual).

Intermediate Weapons (extended range impact munitions)

The goal of using intermediate weapons is to impede a subject, preventing him or her from continuing resistive, assaultive, or otherwise dangerous behavior. (DAAT manual).

Documentation

All uses of force must be documented by the team leader. Fill out the "Chemical Agent/Less Lethal Munition Deployment Log." If body cam is available it is recommended that they be used to document the use of force, to include narration of the circumstances. If video is available, it must be downloaded and turned into Tactical Command as soon as practical.

23. Rest Plans-WUPD personnel

Rest Schedule if duration of Operation goes beyond 7 days.

A. Patrol

1. Day 6: ½ OG1 off

- 2. Day 7: ½ OG2 off
- 3. Day 8: ½ OG 3 off
- 4. Day 9: ½ OG 1 off
- 5. Day 10: 1/2 OG 2 off
- 6. Day 11: 1/2 OG 3 off
- 7. 1 Patrol Supervisor off at a time pick a day
- 8. If Operations go long, repeat this patrol off schedule on Days 12-17

B. Bureau

- 1. Day 7: 1/3 of the Bureau off
- 2. Day 8: 1/3 of the Bureau off
- 3. Day 9: 1/3 of the Bureau off
- 4. If Operations go long, repeat this Bureau off schedule on Days 13, 14, 15

C. SRT

- 1. Day 7: Wrucke off (Wex work), 1st team w/ TL off
- 2. Day 8: Wex off, 2nd team off
- 3. Day 9: 3rd team w/ TL off
- 4. If Operations go long, repeat this SRT off schedule on Days 13, 14, 15

D. CC

- 1. Day 7: McAtee off (Zientek work), 1 SL and 1/3 team off
- 2. Day 8: Zientek off, 1 SL and 1/3 team off
- 3. Day 9: 1 SL and 1/3 team off
- 4. If Operations go long, repeat this CC off schedule on Days 13, 14, 15

E. Ops Supervisors

- 1. Day 7: Farina off (Beckman work Ops. Field Cmndr., Mutual Aid Cmndr. Needed Geiszler/Pavlik?)
- 2. Day 8: Beckman off (Mutual Aid Cmndr. Needed Geiszler/Pavlik?)
- 3. If Operations go long, repeat this Ops Sprvsr off schedule on Days 13 & 14

F. CP

- 1. Day 7: Vetter off (Schultz work 4p-4a w/ Roy)
- 2. Day 8: Vetter work, Roy off (CP assistant needed Gierach?)
- 3. If Operations go long, repeat this CP off schedule on Days 13 & 14